

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**
DANIEL NELSON,

Plaintiff,

**9:20-cv-258
(GLS/CFH)**

v.

**SGT. KRISTOPHER
VanHOESEN et al.,**

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Daniel Nelson
Pro Se
620 Warren Street
Albany, NY 12208

FOR THE DEFENDANTS:

Goldberg Segalla, LLP
8 Southwoods Boulevard
Suite 300
Albany, NY 12211-2526

JONATHAN M. BERNSTEIN, ESQ.
THOMAS PAUL ARMSTRONG,
ESQ.

**Gary L. Sharpe
Senior District Judge**

ORDER

The above-captioned matter comes to this court following a Report-Recommendation and Order (R&R) by Magistrate Judge Christian F. Hummel duly filed February 1, 2022. (Dkt. No. 29.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections

filed by the parties herein.

No objections having been filed, and the court having reviewed the R&R for clear error, it is hereby

ORDERED that the Report-Recommendation and Order (Dkt. No. 29) is **ADOPTED** in its entirety; and it is further

ORDERED that defendants' motion to dismiss (Dkt. No. 27) is **GRANTED**; and it is further

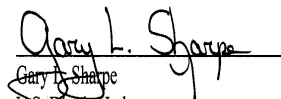
ORDERED that plaintiff's complaint (Dkt. No. 1) is **DISMISSED without prejudice**; and it is further

ORDERED that the Clerk is directed to close this case; and it is further

ORDERED that the Clerk provide a copy of this Order to the parties in accordance with the Local Rules of Practice.

IT IS SO ORDERED.

March 1, 2022
Albany, New York


Gary L. Sharpe
U.S. District Judge